

COHEN, DIPPELL AND EVERIST, P. C.

TABLE 2
LICENSED AND CP UHF
TRANSLATORS
WITHIN STATE OF
COLORADO
AUGUST 1995

<u>Channel</u>	<u>Licensed</u>	<u>CP</u>	<u>Population</u>	<u>Oldest Licensed</u>
14	1		1599	BLTT-890427IB
15	2	3	232	¹
16	4	3	230,986	BLTT-890927IC
17	2	1	83491	BLTT-811109IW
18	3	3	8,883	BLTT-890927ID
19	4	3	10,530	BLTT-811211IE
20	4	0	13,932	BLTT-890403JB
21	2	0	232	BLTT-811211IF
22	4	1	21,420	BLTT-890920IG
23	3	0	36,884	BLTT-811109JA
24	3	1	3,120	BLTT-890927IF
25	1	1	53	¹
26	3	0	3,120	BLTT-890927IG
27	3	4	99,567	BLTT-811109JD
28	3	1	11,132	BLTT-881012IC
29	2	1	13,366	BLTT-811211IG
30	5	2	283,993	BLTT-800911IE
31	4	2	5,141	BLTT-870616IL
32	3	0	13,851	BLTT-810123JU
33	3	2	489,320	BLTT-830912IA
34	2	1	2,719	BLTT-810123JV

¹All later than 1990.

TABLE 2
LICENSED AND CP UHF
TRANSLATORS
WITHIN STATE OF
COLORADO
AUGUST 1995
 (continued)

<u>Channel</u>	<u>Licensed</u>	<u>CP</u>	<u>Population</u>	<u>Oldest Licensed</u>
35	5	2	17,058	BLTT-870616IM
36	6	2	226,076	BLTT-810123JX
37	0	0	509,146	BLTT-810122JO
38	5	0	53,334	BLTT-810724IK
39	7	1	43,334	BLTT-810724IK
40	4	0	6,708	BLTT-890725IG
41	6	0	40,165	BLTT-810724IL
42	3	1	10,737	¹
43	6	1	780,010	BLTT-810724IM
44	5	0	89,557	BLTT-820223IO
45	4	0	13,966	BLTT-880621IS
46	4	0	12,460	BLTT-810324JS
47	6	0	5,231	BLTT-800513IB
48	9	1	149,883	BLTT-810327JP
49	7	0	284,721	BLTT-810306IQ
50	4	2	780	BLTT-810327JO
51	6	1	8,236	BLTT-1871
52	4	1	5,664	BLTT-2038
53	7	0	24,430	BLTT-2007
54	9	0	176,609	BLTT-2039

¹All later than 1990.

TABLE 2
LICENSED AND CP UHF
TRANSLATORS
WITHIN STATE OF
COLORADO
AUGUST 1995
 (continued)

<u>Channel</u>	<u>Licensed</u>	<u>CP</u>	<u>Population</u>	<u>Oldest Licensed</u>
55	9	0	21,105	BLTT-2008
56	8	0	10,818	BLTT-2040
57	11	1	493,819	BLTT-1485
58	9	0	13,760	BLTT-1921
59	7	1	17,082	BLTT-1720
60	10	0	14,123	BLTT-1579
61	9	0	7,910	BLTT-1482
62	7	0	5,898	BLTT-2064
63	11	0	320,664	BLTT-1483
64	9	0	14,204	BLTT-2122
65	9	0	45,887	BLTT-1484
66	7	2	485,011	BLTT-2006
67	10	2	36,785	BLTT-2013
68	8	0	304,354	BLTT-2066
69	10	1	5,449	BLTT-1645
TOTAL	302	48	5,588,545	

Total UHF Translators	2,539
Colorado Translators	302
% of U.S. Total	11.9

COHEN, DIPPELL AND EVERIST, P. C.

TABLE 3
FULL SERVICE
TELEVISION STATIONS AND ALLOTMENTS
WITHIN THE STATE OF
COLORADO
AUGUST 1995

<u>Channel</u>	<u>Call</u>	<u>City/State</u>	<u>ERP</u>	<u>HAAT</u>	<u>Status</u>	<u>City Population</u>
2	KWGN-TV	Denver, CO	100	319	LIC	467,610
3	KREG-TV	Glenwood Springs, CO	67.6 DA	771	LIC	6,561
3	KTVS(TV)	Sterling, CO	60.3	231	LIC	10,362
4	KCNC-TV	Denver, CO	100	451	LIC	467,610
4	KJWA(TV)	Grand Junction, CO	10.7 DA	422	CP	29,034
5	KOAA-TV	Pueblo, CO	100	396	LIC	98,648
5	KREX-TV	Grand Junction, CO	12.9	(-) 23	LIC	39,034
6	KRMA-TV ¹	Denver, CO	10	268	LIC	467,610
6	KREZ-TV	Durango, CO	6.17	110	LIC	12,430
7	KMGH-TV	Denver, CO	3.16	308	LIC	467,610
8	KTSC(TV) ¹	Pueblo, CO	316	372	LIC	98,648
8	KJCT(TV)	Grand Junction, CO	120 DA	829	LIC	39,034
9	KUSA-TV	Denver, CO	316	280	LIC	467,610
10	KREY-TV	Montrose, CO	6.17	24	LIC	8,854
11	KKTV(TV)	Colorado Springs, Co	234 DA	725	LIC	281,140
12	KBDI-TV ¹	Broomfield, CO	229	738	LIC	24,638
12		Lamar, CO			Allot.	8,343
13	KRDO-TV	Colorado Springs, CO	282 DA	652	LIC	281,140
14		Lamar, CO			Allot.	8,343

¹Educational

COHEN, DIPPELL AND EVERIST, P. C.

TABLE 3
FULL SERVICE
TELEVISION STATIONS AND ALLOTMENTS
WITHIN THE STATE OF
COLORADO
AUGUST 1995
 (continued)

<u>Channel</u>	<u>Call</u>	<u>City/State</u>	<u>ERP</u>	<u>HAAT</u>	<u>Status</u>	<u>City Population</u>
15		Leadville, CO			Allot.	2,629
16		Alamosa, CO			Allot.	1,389
16		Craig, CO			Allot.	8,091
17		Gunnison, CO			Allot.	4,636
18		Sterling, CO			Allot.	10,362
18		Grand Junction, CO			Allot.	29,034
19		Glenwood Springs, CO			Allot.	6,561
20	KTVD(TV)	Denver, CO			LIC.	467,610
20		Durango, CO			Allot.	12,430
21	KXRM-TV	Colorado Springs, CO	1050 DA	634	LIC	281,140
22	KFCT	Fort Collins, CO	1860 DA	1860	CP Mod.	87,758
22		La Junta, CO			Allot.	7,637
22		Montrose, CO			Allot.	8,854
23		Salida, CO			Allot.	4,737
24	KSBS-TV	Steamboat Springs, CO	5.01 DA	157	LIC	6,695
24		Trinidad, CO			Allot.	8,580
25	KDEN(TV)	Longmont, CO	5000 DA	332	LIC	51,555
26		Pueblo, CO			Allot.	98,648
31	KDVR(TV)	Denver, CO	5000 DA	317	LIC	467,610
32		Pueblo, CO			Allot.	98,648

COHEN, DIPPELL AND EVERIST, P. C.

TABLE 3
FULL SERVICE
TELEVISION STATIONS AND ALLOTMENTS
WITHIN THE STATE OF
COLORADO
AUGUST 1995
(continued)

<u>Channel</u>	<u>Call</u>	<u>City/State</u>	<u>ERP</u>	<u>HAAT</u>	<u>Status</u>	<u>City Population</u>
33		Durango, CO			Allot.	12,430
41	KRMT(TV) ¹	Denver, CO	741 DA	351	LIC	467,610
47		Alamosa, CO			Allot.	1,389
50	KCEC(TV)	Denver, CO	2510 DA	233	LIC	467,610
53	KWHD(TV)	Castle Rock, CO	193 DA	2132	LIC	8,708
59	KUBD(TV)	Denver, CO	5000 DA	96	LIC	467,610

Totals

VHF Licensed/CP	17 (3 educational)
VHF Unused Allotments	1
UHF Licensed/CP	10 (1 educational)
UHF Unused Allotments	17

VHF Full Service	857	UHF Full Service	682
Colorado Full Service	17	Colorado Full Service	10
% of U.S. total	2.5	% of U.S. Total	1.2

¹Educational

COHEN, DIPPELL AND EVERIST, P. C.

TABLE 4
ALLOCATION SITUATION
K30AA, COLORADO SPRINGS, COLORADO
IN REFERENCE TO FULL-SERVICE
TV STATIONS AND ALLOTMENTS
AUGUST 1995

<u>Channel</u>	<u>Call</u>	<u>City/State</u>	<u>Coordinates</u>	<u>Separation</u>	
				<u>Required</u>	<u>Actual</u>
30	K30AA	Colorado Springs, CO	38° 44' 45" 104° 51' 50"	--	--
15	Allot.	Leadville, CO	39° 14' 52" 106° 17' 28"	119.9	135.8
23	Allot.	Salida, CO	38° 32' 05" 105° 59' 27"	95.7	101.1
26	Allot.	Pueblo, CO	38° 14' 24" 104° 36' 18"	31.4	60.4
31	KDVR(TV)	Denver, CO	39° 43' 45" 105° 14' 12"	87.7	113.9
32	Allot.	Pueblo, CO	38° 14' 24" 104° 36' 18"	31.4	60.4

COHEN, DIPPELL AND EVERIST, P. C.

TABLE 5
ALLOCATION SITUATION
BPTT-930330CA, CORTEZ-RED MESA, COLORADO
IN REFERENCE TO FULL-SERVICE
TV STATIONS AND ALLOTMENTS
AUGUST 1995

<u>Channel</u>	<u>Call</u>	<u>City/State</u>	<u>Coordinates</u>	<u>Separation</u>	
				<u>Required</u>	<u>Actual</u>
64	BPTT- 930330CA	Cortez-Red Mesa, CO	37° 21' 56" 108° 08' 47"	--	--
50	KCEC(TV)	Denver, CO	39° 43' 59" 105° 14' 12"	95.7	365.2
50 CP	KASY-TV	Albuquerque, NM	35° 12' 45" 106° 26' 56"	95.7	283.4
59	KUPD(TV)	Denver, CO	39° 40' 31" 104° 52' 22"	31.4	383.7
64	ADD	Agua Prieta, SO MX	31° 20' 00" 109° 33' 00"	280.8	681.5

TABLE 6
STUDY REGARDING
UNIVERSITY OF SOUTHERN COLORADO
TRANSLATOR APPLICATION FOR
CHANNEL 21, GRAND JUNCTION, COLORADO
AUGUST 1995

<u>Allocation Preclusion</u>		<u>Separation</u>	
		<u>Required</u> km	<u>Actual</u> km
BPET-950112KG	39° 03' 14"	31.4	4.7
CH. *18 Grand Junction, CO	108° 15' 13"		
186 kW, 883 meters			
CH. 22 Montrose, CO	38° 28' 44"	87.7	74.2
	107° 52' 31"		

Allotments

Grand Junction	5, 8, *18, 4*, 11 ADD Ch.13
Montrose	10, *22

Licensed/C.P.'s/Applications

Grand Junction	KJWA(TV) Ch.4 CP, KREX-TV Ch.5 KJCT(TV) Ch.8, New Ch.8 App. K16DC, New Ch.*18 App. K27CO CP and K59FP
Montrose	K04FW, K07IU, KREY-TV Ch.10, K19CE and K28AD

Population

Grand Junction, CO	29,034
Within 120 km	186,493
Montrose, CO	8,854
Within 120 km	176,795

*Educational

TABLE 7
STUDY REGARDING
UNIVERSITY OF SOUTHERN COLORADO
TRANSLATOR APPLICATION FOR
CHANNEL 29, DURANGO, COLORADO
AUGUST 1995

<u>Allocation Preclusion</u>		<u>Separation</u>	
		<u>Required</u> km	<u>Actual</u> km
CH. *15 Farmington, NM	36° 58' 54" 108° 12' 13"	95.7	41.2
CH. 33 Durango, CO	37° 16' 30" 107° 52' 42"	31.4	2.3

Allotments

Durango	6, *20, 33
Farmington	12, *15, ADD 3

Licensed/C.P.'s/Applications

Durango	KREZ-TV Ch.6, K39AH, K45DH and K66BN
Farmington	KOBF(TV) Ch.12, K19CM, K21AX K23BT, K43AI, K47DR and K55DW

Population

Durango, CO	12,430
Within 120 km	156,261
Farmington, CO	33,997
Within 120 km	172,500

Channel 20 allotted to Durango could be satellite for KTSC(TV).

*Educational

TABLE 8
STUDY REGARDING
UNIVERSITY OF SOUTHERN COLORADO
TRANSLATOR APPLICATION FOR
CHANNEL 15, IGNACIO COLORADO
AUGUST 1995

<u>Allocation Preclusion</u>		<u>Separation</u>	
		<u>Required</u> km	<u>Actual</u> km
CH. *15 Farmington, NM	36° 58' 54" 108° 12' 13"	280.8	53.0
CH. *20 Durango, CO	37° 16' 29" 107° 52' 25"	31.4	29.5

Allotments

Durango	6, *20, 33
Farmington	12, *15, ADD 3

Licensed/C.P.'s/Applications

Durango	KREZ-TV Ch.6, K39AH, K45DH and K66BN
Farmington	KOBF(TV) Ch.12, K19CM, K21AX, K23BT, K43AI, K47DR and K55DW

Population

Durango, CO	12,430
Within 120 km	156,261
Farmington, CO	33,997
Within 120 km	172,500

Channel 20 allotted to Durango could be full-service station and serve Ignacio.

*Educational

COHEN, DIPPELL AND EVERIST, P. C.

TABLE 9
ALLOCATION SITUATION
PROPOSED TRANSLATOR
CHANNEL 29, CANON CITY, COLORADO
IN REFERENCE TO FULL-SERVICE
TV STATIONS AND ALLOTMENTS
AUGUST 1995

<u>Channel</u>	<u>Call</u>	<u>City/State</u>	<u>Coordinates</u>	<u>Separation</u>	
				<u>Required</u>	<u>Actual</u>
29	--	Canon City, CO	38° 26' 29" 105° 14' 03"	--	--
14	KTVJ(TV)	Boulder, CO	39° 40' 18" 105° 13' 12"	119.9	136.6
15	--	Leadville, CO	39° 14' 52" 106° 17' 28"	95.7	128.2
21	KXRM-TV	Colorado Springs, CO	38° 44' 40" 104° 51' 37"	31.4	46.8
26	--	Pueblo, CO	38° 14' 24" 104° 36' 18"	31.4	59.4
32	--	Pueblo, CO	38° 14' 24" 104° 30' 18"	31.4	59.4

COHEN, DIPPELL AND EVERIST, P. C.

TABLE 10
ALLOCATION SITUATION
PROPOSED TRANSLATOR
CHANNEL 26, VILLA GROVE, COLORADO
IN REFERENCE TO FULL-SERVICE
TV STATIONS AND ALLOTMENTS
AUGUST 1995

<u>Channel</u>	<u>Call</u>	<u>City/State</u>	<u>Coordinates</u>	<u>Separation</u>	
				<u>Required</u>	<u>Actual</u>
26	--	Villa Grove, CO	38° 15' 04" 105° 57' 08"	--	--
23		Salida, CO	38° 32' 05" 105° 39' 27"	31.4	31.7
26		Pueblo, CO	38° 14' 24" 104° 36' 18"	280.8	117.9*
41	KRMT	Denver, CO	39° 35' 59" 105° 12' 35"	119.9	163

*Grade B 5000 kW 600 M = 106 km DA would protect
5000 kW 300 M = 82.7 km

COHEN, DIPPELL AND EVERIST, P. C.

TABLE 11
STUDY REGARDING
PROPOSED TRANSLATOR FOR
CHANNEL 22, LA JUNTA, COLORADO
AUGUST 1995

<u>Allocation Preclusion</u>		<u>Separation</u>	
		<u>Required</u> km	<u>Actual</u> km
CH. *22 La Junta, CO	37° 59' 06" 103° 32' 19"	280.8	0.9
<u>Allotments</u>			
La Junta	*22		
<u>Licensed/C.P.'s/Applications</u>			
La Junta	K35KZ		
<u>Population</u>			
La Junta, CO	7,637		
Within 120 km	175,622		
<u>Available Translator/LPTV Channels</u>			
La Junta	30,43,44,57 59,61		

*Educational

COHEN, DIPPELL AND EVERIST, P. C.

TABLE 12
STUDY REGARDING
PROPOSED TRANSLATOR FOR
CHANNEL 17, CHERAW, COLORADO
AUGUST 1995

<u>Allocation Preclusion</u>		<u>Separation</u>	
		<u>Required</u> km	<u>Actual</u> km
CH. *22 La Junta, CO	37° 59' 06" 103° 32' 19"	31.4	13.8
CH. 32 Pueblo, CO	38° 14' 24" 104° 36' 18"	119.9	97.0
<u>Allotments</u>			
La Junta	*22		
Pueblo	*8, 26, 32		
<u>Licensed/C.P.'s/Applications</u>			
La Junta	K35KZ		
Pueblo	KOAA-TV Ch.5, KTSC(TV) Ch.*8 K18EM, K24DJ, K48CU		
<u>Population</u>			
La Junta, CO	7,637		
Within 120 km	175,622		
Pueblo, CO	98,648		
Within 120 km	615,736		
<u>Available Translator/LPTV Channels</u>			
Cheraw	30,43,44,57 59,61		

*Educational

TABLE 13
STUDY REGARDING
PROPOSED TRANSLATOR FOR
CHANNEL 16, LA VETA, COLORADO
AUGUST 1995

<u>Allocation Preclusion</u>		<u>Separation</u>	
		<u>Required</u> km	<u>Actual</u> km
CH. *16 Alamosa, CO	37° 28' 10" 105° 52' 00"	280.8	78.4
<u>Allotments</u>			
Alamosa	*16, 47		
<u>Licensed/C.P.'s/Applications</u>			
Alamosa	K03CO		
<u>Available Translator/LPTV Channel</u>			
Le Veta	28,29,34,45 54,58,64		
<u>Population</u>			
Alamosa	7,579		
Within 120 km	83,111		

*Educational

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
Amendment of Section 73.606(b),)	MM Docket No. 93-191
Table of Allotments,)	RM-8088
TV Broadcast Stations)	
(Pueblo, Colorado))	

To: Chief, Allocations Branch
(Stop Code 1800D5)

**JOINT COMMENTS OF THE UNIVERSITY OF SOUTHERN COLORADO
AND SANGRE DE CRISTO COMMUNICATIONS, INC.**

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September 3, 1993

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SUMMARY OF ARGUMENT

The channel exchange as initially proposed by the Petitioners is clearly consistent with the public interest. Exclusion of KTSC-TV's Cheyenne Mountain construction permit from the swap, however, would be contrary to the Commission's Rules -- which expressly permit channel exchanges to include construction permits -- and to precedent -- approving swaps involving outstanding construction permits.

That the permit in this case included a short-spacing waiver affords no basis to depart from established past practice. The waiver involved a technical rule, designed to avoid objectionable interference. As such, it was not, and could not have been, granted based upon the non-commercial identity of the party which sought it. The technical parameters of operation pursuant to the waiver will be identical no matter what the content of the programming being transmitted, so there is no non-content-based reason to withdraw the permit in conjunction with the swap. The swap must therefore be approved as initially proposed, that is, including the Cheyenne Mountain construction permit.

The translator service contemplated by the swap proposal further supports its approval. Translators will facilitate new non-commercial service to the Western Slope: service by translator facilities is a clear improvement to no service at all. KTSC-TV's service to Colorado Springs will remain unchanged: it has historically used a translator to enhance the technical quality of its service to that community and it will continue to do so following the swap. That this service will be from a translator rather than off-air from the station's primary transmitter is

immaterial in light of the fact that the service being provided is an enhancement to ameliorate shadowing rather than a replacement for missing off-air service.

Finally, it is clear that the University properly forbore from fully implementing the Cheyenne Mountain Permit. Not only would the University's interests be maximized by pursuing the swap, but also the public interest would be furthered by the benefits associated therewith. Thus, the University concentrated its efforts on this endeavor. Indeed, for the University to use public resources to build a station which it might never operate would have been both wasteful and imprudent. The delay in action on the swap proposal, which is clearly a matter beyond the University's control, is the reason that the Cheyenne Mountain Permit has not yet been implemented. Accordingly, the circumstances clearly warrant extension of the Cheyenne Mountain Permit.

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
Amendment of Section 73.606(b),)	MM Docket No. 93-191
Table of Allotments,)	RM-8088
TV Broadcast Stations)	
(Pueblo, Colorado))	

To: Chief, Allocations Branch
(Stop Code 1800D5)

**JOINT COMMENTS OF THE UNIVERSITY OF SOUTHERN COLORADO
AND SANGRE DE CRISTO COMMUNICATIONS, INC.**

The University of Southern Colorado (the "University"), licensee of Station KTSC-TV, Channel 8, Pueblo, Colorado, and Sangre de Cristo Communications, Inc. ("SCC"), licensee of Station KOAA-TV, Channel 5, Pueblo, Colorado, by their attorneys, submit their joint comments in response to the Commission's Notice of Proposed Rule Making in the above-captioned proceeding.^{1/}

^{1/} Notice of Proposed Rule Making, MM Docket No. 93-191, released July 13, 1993 (the "Notice"). The Notice was issued in response to the Petition for Issuance of Notice of Proposed Rulemaking to Exchange Channels (the "Joint Petition") filed by the University and SCC (collectively, the "Petitioners").

Introduction

On September 8, 1992, the Petitioners filed their Joint Petition seeking Commission approval of a VHF intraband channel swap between the University and SCC. The proposed channel swap entails the following components:

- (a) amendment of the Television Table of Allotments whereby Channel 8, Pueblo, Colorado is designated as a commercial channel and Channel 5, Pueblo, Colorado is designated as a noncommercial channel;
- (b) modification of the license for KTSC-TV to specify operation on Channel 5 from KOAA-TV's present licensed transmitter site; and
- (c) modification of the license for KOAA-TV to specify operation on Channel 8 at a site atop Cheyenne Mountain authorized by an existing construction permit held by the University (the "Cheyenne Mountain Permit")^{2/}.

The Joint Petition describes in detail the public interest benefits associated with the proposed channel swap. Briefly, the University will receive \$1,000,000, which will be used to expand its network of television translators and provide first over-the-air service to the Western Slope of Colorado (where non-commercial service currently is only received via satellite delivery) and to broaden and expand KTSC-TV's noncommercial, educational television programming. The University also will receive technical operational benefits, namely, (i) a dual thirty kilowatt cross-polarized transmitter which will provide a stronger, better quality signal to Colorado Springs and Pueblo and will be more reliable than KTSC-TV's present transmitter; and (ii) Television Translator Station K30AA, Colorado Springs,

^{2/} See FCC File No. BPET-900122KE.

Colorado, which will facilitate coverage of a wider area of El Paso County and thus will enable the University to better serve Colorado Springs. SCC, after implementing the Cheyenne Mountain Permit to commence operations from the antenna farm used by other market commercial stations, will be able to provide full competitive service to the Colorado Springs-Pueblo television market.

In the Notice, the Commission concludes that the proposed channel swap, excluding the Cheyenne Mountain Permit, would be in the public interest. Petitioners submit that this exclusion is unwarranted and contrary to law and precedent, and urge the Commission to approve the swap as proposed.^{3/} The University hereby restates its intention -- and its commitment -- to operate KTSC-TV on Channel 5 if the channel exchange is authorized as proposed in the Joint Petition and discussed herein. SCC also hereby restates its intention -- and its commitment -- to operate KOAA-TV on Channel 8 if the channel exchange is authorized as proposed in the Joint Petition and discussed herein.^{4/} Finally, Petitioners have consistently

3/ As indicated herein, based on Commission policy and precedent, the Petitioners anticipated that the Cheyenne Mountain Permit would be a part of the Notice's channel exchange proposal. As demonstrated in the Joint Petition and confirmed herein, the Cheyenne Mountain Permit is inextricably linked to the public interest benefits associated with the proposed channel exchange. SCC's continued interest in pursuing the channel exchange is therefore conditioned upon the inclusion of the Cheyenne Mountain Permit in the swap proposal ultimately approved by the Commission. In this regard, on September 2, 1993, Petitioners responded to the Notice's exclusion of the Cheyenne Mountain Permit and filed an application seeking FCC consent to its assignment from the University to SCC.

4/ See Paragraph 13 of the Notice and Paragraph 2 of the Appendix thereto.

been, and remain, committed to taking all steps necessary to effectuate the proposed exchange as expeditiously as possible.

The Notice, requests comment on several specific issues of concern to the Commission: (a) modification of KOAA-TV's authorization to reflect the terms of the Cheyenne Mountain Permit; (b) KTSC-TV's post-exchange service to Colorado Springs; and (c) the potential gain in KTSC-TV's reception service through proposed translator service. These joint comments respond to these and other related issues and confirm that Petitioners' channel exchange proposal is fully consistent with the public interest and applicable requirements.

**Commission Policy and Precedent Demand That
Authorized Facilities, Not Simply Operational
Facilities, Be Included In Intraband Channel Exchanges**

At Paragraph 7 of the Notice, the Commission notes that since the University has not operated KTSC-TV from the site authorized by the Cheyenne Mountain Permit, it "believe[s] it appropriate to propose to modify SCC's authorization for Station KOAA-TV to specify the site in [the University's] outstanding license for Station KTSC(TV), and not its construction permit site." Such action, however, would be contrary to well-established Commission precedent and policy.

When the Commission amended Section 1.420 of its rules to establish its current procedures for intraband channel exchanges, it stated that such procedures